

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:16cv26**

SHIRLEY ANN FEDORA,

Plaintiff,

v.

ALISHA SANE LOLLAR,

Defendant.

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ORDER

Pending before the Court is the Motion to Compel [# 16]. Defendant served Plaintiff with its First Set of Interrogatories and Request for Production of Documents on September 21, 2016. Defendant contends that Plaintiff has failed to provide complete, signed, and verified responses to its interrogatories. In addition, Defendant contends that Plaintiff has failed to produce all the records from the healthcare providers requested by Defendant. Plaintiff did not respond to the Motion to Compel and did not otherwise object to Defendant's discovery requests.

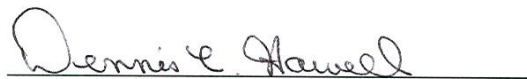
Upon a review of Defendant's motion and the record, the Court finds that Plaintiff has failed to fully respond to the Defendant's discovery requests and, thus, **GRANTS** the Motion to Compel [# 16]. The Court **DIRECTS** Plaintiff to:

(1) Provide a complete, signed, and verified response to Defendant's First Set

of Interrogatories by May 5, 2017. The response should include the identification of all healthcare providers (including physicians, chiropractors, acupuncturist, massage therapist, psychiatrist and psychologists) rendering treatment and/or consultation to the Plaintiff for the ten (10) year period prior to the subject accident.

- (2) Produce all records for the identified healthcare providers for the ten (10) year period prior to the subject accident. Rather than produce the records, the Plaintiff may instead execute HIPPA compliant authorizations enabling Defendant's counsel to obtain the requested records directly from each of the identified healthcare providers. Plaintiff shall provide either the documents or the authorization forms by May 5, 2017.
- (3) The Court also **INSTRUCTS** Plaintiff that the failure to comply with the Order may result in the Court imposing an award of costs and fees, including attorneys' fees incurred by Defendant in having to compel discovery responses.

Signed: April 21, 2017



Dennis L. Howell
United States Magistrate Judge

